

REMARKS

The Amendments

The claims are amended to specify layer (D). Support for new claims 22-23 is found in the specification at paragraph [0021], page 6.

Applicants reserve the right to file one or more continuing and/or divisional applications directed to any subject matter disclosed in the application which has been canceled by any of the above amendments.

The Objection to the Specification

In response to the objection that the specification does not provide antecedent basis for the "phosphate", "CVD" and "PVD" terms used in the claims, the language of the original claims (which is part of the original disclosure) is incorporated into the specification by the above amendments.

The Rejections under 35 U.S.C. §102 and §103 and for Obviousness-type Double Patenting

The rejections of the claims under 35 U.S.C. §102 and §103 are based on US Pub. No. 2002/0192448 and the obviousness-type double patenting rejection is based on U.S. Patent No. 6,884,289. The '289 patent is the patent which issued from the '448 publication, thus, these documents have the same disclosure.

In view of the above amendments, it is urged that the US Pub. No. 2002/0192448 and U.S. Patent No. 6,884,289 do not support prior art or double patenting rejections against the instant claims. These references fail to disclose or suggest an interference pigment having an "an absorbent layer having a layer thickness of 1 – 100 nm, which comprises at least one: metal telluride, metal lanthanide, metal phosphate, metal actinide, titanium oxynitride or titanium nitride, or a mixture of two or more of the above." There is no suggestion in the references to modify their pigments to arrive at a pigment according to the claimed invention. Thus, the anticipation, obviousness and double patenting rejections should all be withdrawn.

It is submitted that the claims are in condition for allowance. However, the Examiner is kindly invited to contact the undersigned to discuss any unresolved matters.

Respectfully submitted,

/John A. Sopp/
John A. Sopp, Reg. No. 33,103
Attorney/Agent for Applicant(s)

John A. Sopp

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

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